



Federal Communications Commission
Washington, D.C. 20554

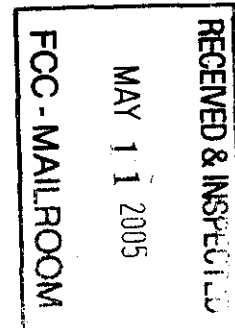
Imaging Center
CY C203

May 6, 2005

Mr. Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75205

Dear Mr. Crawford:

DOCKET FILE COPY ORIGINAL



This is in response to your petition for rule making you filed requesting the allotment of Channel 297A at Cushing, Oklahoma as the community's first local FM transmission service. To accommodate the allotment, you also requested the reclassification of Station KRXO(FM) at Oklahoma City, Oklahoma, from Channel 299C to Channel 299C0.

We have reviewed your proposal and find that it cannot be considered at this time. Specifically, in answer to an *Order to Show Cause*, the licensee of Station KRXO(FM) timely filed a response stating its intention to file an application to maintain its Class C status. See 19 FCC Rcd 12796 (2004). The application (File No. BPH-20050216ABR) was filed on February 16, 2005, and is pending. Since your proposal requires the reclassification of Station KRXO(FM) to a Class C0 facility, it is now technically infeasible. Accordingly, the proposal is in violation of Section 73.207(b)(1) of the Commission's Rules.

For the reason stated above, we are returning your petition for rule making. You may refile your petition, provided your proposal meets all of the minimum spacing requirements of Section 73.207 of the Commission's Rules.

Sincerely,

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

Enclosures